

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**FREDERICK L. THOMAS,**

**Plaintiff,**

**v.**

**Civil Action No.  
5:08-CV-432(HL)**

**WAKULLA BANK,**

**Defendant.**

**ORDER**

Defendant Wakulla Bank has filed a Motion to Dismiss (Doc. 9). Because Plaintiff, Frederick L. Thomas, is proceeding pro se, the Court deems it appropriate and necessary to advise him of his obligations in responding to said Motion and of the consequences which he may suffer if he fails to file a proper response thereto.

Plaintiff is advised:

- (1) that a Motion to Dismiss has been filed herein on behalf of the Defendant identified above;
- (2) that he has the right to oppose the granting of said Motion; and,
- (3) that if he fails to oppose said Motion, his complaint against the Defendant identified above may be dismissed.

Plaintiff is further advised that under the procedures and policies of this Court,

motions to dismiss are normally decided on briefs. The court considers the complaint and briefs filed by the parties in deciding whether dismissal is appropriate under the law.

Failure of Plaintiff to respond to the Motion to Dismiss may result in the granting of said Motion. There would be no trial or any further proceedings as to the Defendant seeking dismissal.

Accordingly, Plaintiff is directed to file a response to said Motion to Dismiss within twenty days of the date of entry of this Order. Thereafter, the court will consider the Motion and any opposition to same filed by Plaintiff. If no response is submitted by Plaintiff, the court will consider said Motion to be uncontested. The Clerk is directed to serve Plaintiff at the last address provided by him.

**SO ORDERED**, this the 30<sup>th</sup> day of January, 2009.

*s/ Hugh Lawson*  
**HUGH LAWSON, Judge**

dhc